

REMARKS

Reconsideration and withdrawal of the objection and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-18, 20, 25, 26 and 29-37 are now pending in the application, with Claims 1, 17 and 29 being independent. Claims 19, 21-24, 27 and 28 have been cancelled without prejudice. Claims 1-11, 13, 14, 16-18, 20 and 25 have been amended and Claims 29-37 are newly presented herein.

Initially, Applicant and his undersigned attorney wish to thank the Examiner for the courtesies extended during the personal interview on February 2, 2006. During that interview, Applicant and his attorney presented arguments as to how the invention differed from the citations of record. As agreed during the interview, Applicant is amending the claims herein to describe the bandage system as having a container having substantially the same length of the casting material or as having opening means to rupture the container substantially along its longitudinal direction. As agreed during the interview, but not reflected in the Interview Summary, Applicant proposed not to recite in the independent claims that the container was "gel-filled". It was pointed out during that interview that the citations of record do not disclose or suggest the above-noted features. A more detailed discussion of those arguments follows.

The abstract was objected to for an informality and has been amended in the manner suggested by the Examiner. Accordingly, reconsideration and withdrawal to the objection to the abstract are respectfully requested.

Claims 4, 24 and 27 were objected to for minor informalities. Claim 4 has been amended such that there is clear antecedent basis for all terms used therein. In addition, Claims 24 and 27 have been cancelled without prejudice or disclaimer. Reconsideration and withdrawal of the claim objections are also requested.

Claims 1, 3, 6-9 and 11 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 4,537,184 (Williams, Jr.). Claims 2, 4, 12, 16-20, 24 and 26-28 were rejected under 35 U.S.C. § 103 as being unpatentable over Williams, Jr. in view of U.S. Patent No. 5,713,838 (Termanini). Claim 10 was rejected under § 103 as being unpatentable over Williams, Jr. in view of U.S. Patent No. 4,899,738 (Parker). Claims 13-15 and 21-23 were rejected under § 103 as being unpatentable over Williams, Jr. in view of U.S. Patent No. 4,928,678 (Grim). Claims 5 and 25 were rejected under § 103 as being unpatentable over Williams, Jr. in view of Termanini and U.S. Patent No. 3,797,493 (Saudek). These rejections are respectfully traversed.

As recited in independent Claim 1, the present invention relates to an integrated orthopedic bandage system includes a water-curable orthopedic casting material and a container. The water-curable orthopedic casting material is in the form of a splint. The container includes water which is removable from the container, and the container has substantially the same length dimension as that of the casting material.

As recited in independent Claim 17, the present invention relates to a method for curing a water-curable orthopedic casting material, which is in the form of a splint. The method includes applying to an orthopedic material to be cured, an effective amount of water. The orthopedic casting material and the water are present in a package wherein the water is provided in a container from which it is removable into fluid communication with the casting material whereby when the water is removed from the container. The water directly contacts the casting material substantially along the entire length dimension of the casting material.

As recited in independent Claim 29, the present invention relates to an integrated orthopedic bandage system including a water-curable orthopedic casting material, a container and opening means. The water-curable orthopedic casting material is in the form of a splint. The container includes water which is removable from the container. The opening means opens the container and is positioned relative to the container so that when pulled the opening means ruptures the container substantially along its longitudinal dimension to expose the water contained in the container to the casting material.

As discussed during the interview, the manner in which the water or water-laden gel is released from its container or packet is important to the operation and effectiveness of the system and method. In particular, it is important that the water-containing container has substantially the same length as the casting material so that the water can be distributed evenly throughout the length of the casting material when released

from the container. This can allow resin in the casting material to cure evenly and expeditiously. For similar reasons, it is important that the container be opened by rupturing substantially along its longitudinal dimension. This can also aide in allowing the water or gel to be distributed evenly along the length of the casting material. If the container were opened at just one end, the water or gel could pool at the one end to provide an uneven distribution of the water throughout the length of the casting material.

As discussed during the interview, in Williams, Jr., the inner bag 16 containing the reacting liquid is disposed toward the left end of the outer bag 12. It is respectfully submitted that should that inner bag be ruptured, the reacting liquid would likely be concentrated towards the left side of the splint. Williams, Jr. does not disclose or suggest at least a container including water which is removable from the container, with the container having substantially the same length dimension as that of the casting material, as is recited in independent Claim 1. Also, it cannot be said that in a process of Williams, Jr., the liquid would directly contact the casting materials substantially along the entire length dimension of the casting material, as is recited in independent Claim 17. Rather, the liquid would directly contact the casting material immediately adjacent inner bag 16 and then have to be moved to the rest of the areas of the casting material. Regarding independent Claim 29, Williams, Jr. does not disclose or suggest at least opening means positioned relative to a container so that when pulled the opening means ruptures the container substantially along its longitudinal dimension, as is recited therein.

Accordingly, Williams, Jr. fails to disclose or suggest important features of the present invention recited in the independent claims.

Saudek was cited for teaching a pharmaceutical container including a cord that is pulled to rupture that container. As discussed during the interview, in Saudek the cord only ruptures one end of the container. Saudek cannot be said to disclose or suggest an opening means positioned relative to the container so that when pulled the opening means ruptures the container substantially along its longitudinal dimension, as is recited in independent Claim 29. Saudek is not believed to remedy the deficiencies of Williams, Jr. noted above with respect to the independent claims.

The remaining citations have also been reviewed, but are also not believed to remedy the deficiencies of the citations noted above with respect to the independent claims.

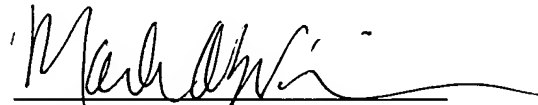
Accordingly, independent Claims 1, 17 and 29 are patentable over the citations of record. Reconsideration and withdrawal of the §§ 102 and 103 rejections are respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claims 1, 17 and 29. Dependent Claims 2-16, 18, 20, 25, 26 and 30-37 are also allowable, in their own right, for defining features of the present invention in addition to those recited in the independent claims. Individual consideration of the dependent claims is requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark A. Williamson', is written over a horizontal line.

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